

**MENOMINEE TRIBAL LEGISLATURE – REGULAR
SEPTEMBER 2, 2010
MENOMINEE TRIBAL OFFICE BOARD ROOM
KESHENA, WI 54135
5:00 P.M.**

MEMBERS PRESENT:

Laurie A. Boivin, Tribal Chairwoman
Randal Chevalier – (*Late – arrived at 5:43 P.M.*)
Lynnette A. Miller
Myrna R. Warrington
Lisa S. Waukau
Bruce J. Pecore
Kenneth A. Fish
David A. Miller

MEMBERS ABSENT:

Rebecca D. Alegria – (*Excused Absence*)

1. Call to Order – Roll Call.

Chairwoman Laurie Boivin called the regular meeting to order at 5:00 P.M. Roll call was taken with a quorum present.

2. Menominee Prayer.

Legislator L. Miller said the Menominee Prayer.

3. Public Comment Period.

Melissa Pitzl – Complaint on Meeting Team Findings: *“She requested to make a public comment regarding the findings with her complaint that she filed against the Management Team in regards to the 2008 – 2010 Hunting and Trapping Regulations, and misconduct of the Menominee Conservation Commission. According to Ordinance No. 99-01 (Menominee Conservation Commission Code) it states that the Menominee Conservation Commission shall consider scientific data when remanding, repealing, or changing a rule. She stated that on September 3, 2009 Chairman Cox admitted in front of the Menominee Tribal Legislature that the Menominee Conservation Commission never provided the scientific data to justify those changes that took significant privileges away from our descendants. Instead, their Biologist provided them with scientific data that revealed to not change these regulations at all. She respectfully requested that the Tribal Legislature pass two (2) motions. One to rescind the 2008 – 2010 Hunting and Trapping Regulations and the second motion to reinstate the 2005 – 2007 Hunting and Trapping Regulations based on all of the data that she has submitted.*

She also stated that the Menominee Conservation Commission continues to use their own personal bias to make these changes, and abuse their positions. On a September 1ST Menominee Conservation Commission agenda they discussed what they would put on their own information sheet regarding the upcoming electoral referendum, and they do not plan on presenting this material to this Legislature for approval before disbursement to the community. Lastly, she commended the Menominee Tribal Legislature for all the gracious steps to have reached this far, and thanked the Legislature for their time in this matter.”

Chairwoman Boivin thanked her for her comments.

4. 10-Day Waiver Request(s).

MOTION BY LISA WAUKAU THAT WE APPROVE THE 10-DAY WAIVER AND RETAIN ALL OUR RIGHTS AS LONG AS POSSIBLE FOR ANY FUTURE SALES. (W310 SE LASS LAKE, GILLETT, WI) SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 1 ABSTENTION (FISH), AND 2 ABSENT (ALEGRIA & CHEVALIER).

PLEASE NOTE: Legislator Fish qualified his abstention as follows: *“because I think we should have a Land Acquisition in place then maybe we could have made a decision on this issue.”*

5. Appointment to the Wolf River Development Company Board of Directors.

MOTION BY DAVID MILLER TO APPOINT LEAH N. PAMONICUTT TO THE WOLF RIVER DEVELOPMENT BOARD OF DIRECTOR’S. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 5 FOR, 0 OPPOSED, 1 ABSTENTION (PECORE, AND 2 ABSENT (ALEGRIA & CHEVALIER).

PLEASE NOTE: Legislator Pecore qualified his abstention as follows: *"It was brought to my attention that someone is asking if Leah Pamonicutt is my step-sister by marriage, but as of now there is no conflict because there is no marriage license."*

Legislator's questioned the legality of a previous motion that Legislator Pecore voted in favor of Leah Pamonicutt whether or not that appointment to Gaming should be brought back for reconsideration.

Chairwoman stated until it gets clarified by Legal, it will not be discussed tonight, and if warranted it would become a future agenda item, and then would be determined if it should be heard in open or closed session. Legislator's felt that a conflict of interest does not warrant being discussed in Executive Session, because people have a right to know what those conflicts are.

6. Approval of Menominee Fuel Station ByLaws.

Chairwoman Boivin requested that on top of page 2 under "Meetings" where it says that the Chairperson's staff shall post and record all meetings and transcribe all the minutes be replaced with Menominee Fuel Station staff to prevent any potential confusion that it's the Tribal Chairman's staff that will be held responsible.

Other corrections are as follows: under "Attendance," number 3 was supposed to be omitted entirely. Article V11 should be changed to "VII", and, under Article XII on the last page, last sentence the word "legislator" should be replaced with "Legislature." The only other change was to include a policy for Board members who miss more than three unexcused absences.

MOTION BY LYNNETTE MILLER TO APPROVE THE REVISED BY-LAWS OF THE MENOMINEE FUEL STATION WITH CHANGES. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (ALEGRIA & CHEVALIER).

7. Resolution No. 10-__ Tribal Position on Sturgeon Restoration Plan.

MOTION BY MYRNA WARRINGTON TO APPROVE MENOMINEE INDIAN TRIBE OF WISCONSIN RESOLUTION NO. 10-41 TRIBAL POSITION ON STURGEON RESTORATION PLAN WAIVE THE READING AND APPROVE THE SIGNATURES WITH CORRECTIONS. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (ALEGRIA & CHEVALIER).

The Legislature added a new fourth (4th) WHEREAS clause to read as follows: *"the Menominee Indian Tribe has held a restructuring spiritual relationship with the sturgeon since time in memorial and pre-European contact."* MTL also made a few grammatical changes, and corrected the Treaty to reflect *"Treaty of May 12, 1854."*

8. Resolution No. 10-__ Resolution in Support of an Application to the U.S. Department of Health and Human Services (DHHS), Indian Health Services, Division of Diabetes Treatment and Prevention Special Diabetes Program for Indians (SDPI), Diabetes Prevention and healthy Heart Initiatives.

MOTION BY MYRNA WARRINGTON TO APPROVE MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 10-42 RESOLUTION IN SUPPORT OF AN APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS), INDIAN HEALTH SERVICES, DIVISION OF DIABETES TREATMENT AND PREVENTION SPECIAL DIABETES PROGRAM FOR INDIANS (SDPI), DIABETES PREVENTION AND HEALTHY HEART INITIATIVES WAIVE THE READING AND APPROVE THE SIGNATURES. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (ALEGRIA & CHEVALIER).

9. Approve Agenda for Special Meeting for WHEDA Tax Credits.

MOTION BY MYRNA WARRINGTON TO APPROVE THE SPECIAL MEETING FOR WEDNESDAY, SEPTEMBER 8, 2010 AT 5:00 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (ALEGRIA & CHEVALIER).

10. Other Business: Matters of an Immediate Nature that Cannot Wait Until the Next Meeting.

MOTION BY LYNNETTE MILLER TO ENTERTAIN THE FOLLOWING UNDER "OTHER BUSINESS: MATTERS OF AN IMMEDIATE NATURE THAT CANNOT WAIT UNTIL THE NEXT MEETING:" – 1) APPROVE GENERAL COUNCIL ON FMP AGENDA: 2) APPROVE SPECIAL MEETING OF THE MENOMINEE TRIBAL LEGISLATURE AND

MEMBERSHIP; 4) RESOLUTION NO. 10-44 BANISHMENT OF GREG BORK; & 5) EMERGENCY MENOMINEE CONSERVATION COMMISSION RECOMMENDATION OF SEPTEMBER 1, 2010. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (ALEGRIA & CHEVALIER).

1) Approve General Council on FMP Agenda;

MOTION BY KENNETH FISH THAT THE GENERAL COUNCIL ON FOREST MANAGEMENT PLAN BE SET FOR SATURDAY, SEPTEMBER 18, 2010, AND THAT THE CHAIR ALSO TAKES STEPS TO DO PROPER PUBLIC RELATIONS ANNOUNCING TO THE TRIBAL MEMBERSHIP THAT THIS MEETING IS OCCURRING. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (ALEGRIA & CHEVALIER).

Legislators would like for the Chairwoman to place a notice in the Tribal Newspaper and the Shawano Evening Leader, on the Shawano WTCH/WOWN Radio station, and Tribal website.

MOTION BY KENNETH FISH THAT THE CHAIRMAN OF THE MENOMINEE TRIBAL LEGISLATURE FORMALLY INVITE THE BOARD OF DIRECTORS OF MENOMINEE TRIBAL ENTERPRISES, AND THEIR FORESTRY STAFF TO ATTEND THIS GENERAL COUNCIL FOR PURPOSES OF ANSWERING SOME QUESTIONS THAT MAY BE PRESENTED. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (ALEGRIA & CHEVALIER).

2) Approve Special Meeting of the Menominee Tribal Legislature and Menominee County Board of Supervisors;

PLEASE NOTE: *Legislator Chevalier entered the meeting at 5:43 p.m.*

MOTION BY KENNETH FISH TO APPROVE A SPECIAL MEETING WITH THE MENOMINEE TRIBAL LEGISLATURE AND MENOMINEE COUNTY BOARD OF SUPERVISORS. (SEPTEMBER 23, 2010 MENOMINEE COUNTY COURTHOUSE BOARDROOM) SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 1 ABSTENTION (CHEVALIER), AND 1 ABSENT (ALEGRIA).

PLEASE NOTE: Legislator Chevalier qualified his abstention as follows: *"just that I didn't catch the whole conversation."*

3) Resolution No. 10-43 Tribal Government NCAI Membership;

MOTION BY DAVID MILLER TO APPROVE RESOLUTION NO. 10-43 TRIBAL GOVERNMENT NCAI MEMBERSHIP, DISPENSE WITH THE READING AND AUTHORIZE THE SIGNATURES OF THE WHOLE LEGISLATURE. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

4) Resolution No. 10-44 Banishment of Greg Bork; &

MOTION BY LYNNETTE MILLER TO APPROVE MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 10-44 BANISHMENT OF GREG BORK, WAIVE THE READING, AND AUTHORIZE SIGNATURES. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 7 FOR, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

Legislators questioned this individuals whereabouts, and if this person is a tribal member. Tribal Attorney, William Kussel Jr. stated he contacted the FBI, and learned that this person is on supervised probation in the State of Colorado for the next three (3) years. Nevertheless; in the event, Mr. Bork chooses to visit the reservation; the Legislature wants the Tribal and County Police to be made aware that he is banished from the Menominee Indian Reservation permanently. The Legislature also requested that the Enforcement Resource and Protection Committee look further at banishment, and then bring it back to the Legislature for concurrence.

MOTION BY BRUCE PECORE TO HAVE THE ENFORCEMENT RESOURCE AND PROTECTION COMMITTEE LOOK AT BANISHMENT FOR THE TRIBE, AND BRING IT BACK TO THE LEGISLATURE WHEN THEY HAVE IT READY. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

5) Emergency Menominee Conservation Commission Recommendation of September 1, 2010.

Conservation Commission Chairman Doug Cox brought forward an emergency issue of commercialization of ginseng in one or more of our commercial businesses that he claimed is transpiring now. Chairman Cox stated the Conservation Commission is attempting to prohibit the sale of ginseng both here and off of the reservation to protect our natural resources, because according to the Tribal Constitution it is illegal to commercialize or profit off of our resources.

Questions were asked who would be regulating those selling maple syrup, maple sugar cakes, berries, etc. The Legislature did not want to take away from families who make a living on our resources to support their families. Tribal members have been supporting their families like this for years, and the Legislature felt there was no urgency to run it under other business or discuss this issue any further without any supporting data; such as, subsidizing ones well-being which Conservation Commission Chairman Mr. Cox claimed. At this point, the Legislature felt that without any factual findings, there is no case to discuss this issue any further without knowing the bulk that is leaving the reservation. Some Legislators wanted to hire local dealers to commercialize ginseng for the Tribe to benefit from the profits.

MOTION BY LISA WAUKAU TO SUPPORT THIS EMERGENCY ORDINANCE REGARDING THE COMMERCIALIZATION OF GINSENG ON THIS RESERVATION WITH THE NOTION THAT THE ONLY ENTITY THAT CAN ENGAGE IN COMMERCIALIZATION OF GINSENG IS THE MENOMINEE INDIAN TRIBE. SECOND WAS MADE BY DAVID MILLER. THE MOTION IS DEFEATED: 2 FOR, 5 OPPOSED (PECORE, WARRINGTON, L. MILLER, CHEVALIER, AND FISH), 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

PLEASE NOTE: Legislator L. Miller qualified her opposition as follows: *"I opposed it because there are many Tribal members that pick ginseng, and they pick it for their families. I know that there is Menominee within here that buy the ginseng and I think that has been going on for years, and years, and years. I think that this motion that came forward from Conservation should have been I mean I'm in agreement with just prohibiting this one individual from commercializing the ginseng."*

Legislator Warrington qualified her opposition as follows: *"I'm opposed, and I can appreciate with what they are trying to do in terms of regulating, but my brother sents, my cousin sents, and whenever anybody needs bread and milk you know they go senging for that little bit of need they have, so you know there is a difference of doing that a little bit for themselves and then there's a difference for commercializing as a whole. So there is a whole range there, and I just think it needs to come together as a whole package with penalties attached."*

Legislator Waukau qualified her vote as follows: *"She voted in the affirmative and my side was defeated, but I don't disagree that Menominee people have a right to gather ginseng and do it for profit, but I think that the Menominee Tribe should be the sole purchaser of all ginseng, and that we should sell to the entities off the reservation that want to purchase it at a profit. Then that would satisfy all the elements that are concerned who is going to care for our land more then we are? We would be able to see if we are getting to a dangerous level with the harvesting of ginseng, and I'm a firm believer that nobody should make money off our Menominee resources, but Menominee people."*

Legislator Pecore qualified his opposition as follows: *"I just feel that it was an Enforcement issue all along, because this is already in the Constitution."*

Legislator Fish qualified his opposition as follows: *"I think that the way the proposals came to the table, and also the Tribal members that engaged or harvesting or picking the ginseng would be looked upon as commercializing it, and they would be subject to penalties that I don't think that unless there is a structured regulation I don't agree with putting that in place in an emergency form the way it is."*

Legislator D. Miller qualified his vote as follows: *"It comes right down to this is an exploitation of resources on a scale that should not be allowed to happen. I don't think the legislation would have restricted any of our Tribal members from practicing their usufructuary rights or gathering ginseng at the time. I mean people have done that, and I think that if there were questions about that our enforcement officers realize what goes on out there, how it is utilized out in the community sometimes for income or so, but when we have it sitting right in the midst of us, and we're making that extra Economic push or people are being encouraged to harvest beyond the capacity of what we have without the numbers, I think we have brought it to the attention and I don't think it would have diminished in any way our Tribal memberships right to go out and gather."*

Legislator Chevalier qualified his opposition as follows: *"The information that was brought forward is missing one of the critical pieces which is a statement of facts that is required to be included with that, and this motion that was brought forward is not regulation that you can issue citations off of."*

11. 1ST Consideration of Ordinance No. 10-___ Approval of Certain Actions Related to Menominee Indian Tribal Housing Limited Partnerships # 5 & # 6.

MOTION BY LYNNETTE MILLER TO APPROVE 1ST CONSIDERATION OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 10-19 APPROVAL OF CERTAIN ACTIONS RELATED TO MENOMINEE INDIAN TRIBAL HOUSING LIMITED PARTNERSHIPS #5 & #6, AND SEND TO PUBLIC HEARING ON SEPTEMBER 8, 2010 AT 5:00 P.M. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 7 FOR, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

12. Approval of Minutes: 1) June 26, 2010 – Annual General Council on Gaming.

MOTION BY RANDAL CHEVALIER FOR APPROVAL OF THE ANNUAL GENERAL COUNCIL ON GAMING MEETING MINUTES OF JUNE 26, 2010 WITH ANY CORRECTIONS. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 1 ABSTENTION (L. MILLER), AND 1 ABSENT (ALEGRIA).

PLEASE NOTE: Legislator L. Miller qualified her abstention as follows: “because I wasn’t at the meeting.”

13. Legislative Time on Task Reports.

MOTION BY RANDAL CHEVALIER TO TAKE ACTION ON ITEMS 38 – 40 (TIME ON TASK RECOMMENDATIONS OF SEPTEMBER 2, 2010). SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

14. Travel Authorization Requests.

MOTION BY LISA WAUKAU TO APPROVE TRAVEL AUTHORIZATION REQUESTS FOR 1) FOR CHAIRWOMAN LAURIE BOIVIN OR LEGISLATOR RANDAL CHEVALIER TO GREAT LAKES INTER-TRIBAL COUNCIL, INC. CONFERENCE ON SEPTEMBER 9, 2010 IN MILWAUKEE, WI; 2) NAFOA’S 28TH ANNUAL FINANCE CONFERENCE ON SEPTEMBER 14 – 15, 2010 IN JERSEY CITY, NJ FOR LEGISLATOR BRUCE PECORE; 3) NATIONAL INDIAN GAMING ASSOCIATION ON OCTOBER 19 – 20, 2010 IN PRIOR LAKE, MN FOR CHAIRWOMAN LAURIE BOIVIN; AND OR LEGISLATOR RANDAL CHEVALIER; AND/OR LEGISLATOR MYRNA WARRINGTON; 4) USDOJ – GOVERNMENT TO GOVERNMENT CONSULTATION MEETING ON OCTOBER 21, 2010 IN PRIOR LAKE, MN FOR CHAIRMAN BOIVIN; 5) NCAI 2010 67TH ANNUAL CONVENTION & TRADE SHOW ON NOVEMBER 14 – 19, 2010 IN ALBUQUERQUE, NM FOR CHAIRMAN BOIVIN OR VICE-CHAIRMAN RANDAL CHEVALIER; & 6) FOR THE HONORING OF THE INDIAN VETERAN’S THIS SATURDAY IN MILWAUKEE FOR THE VETERAN’S AD-HOC COMMITTEE. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

15. Committee Reports and Recommendations:

a) Budget and Finance Committee of August 17, 2010.

i. Request Recommendation on How to Proceed with the Woodland Boys and Girls Club One-Time Supplement.

Last year the Legislature provided the Woodland Boys & Girls Club with a one time financial supplement, which they are requesting the same allocation, and have also provided the Legislature with an impact statement explaining how detrimental the 15% decrease would be to the Club. The Legislature decided to send them through the regular budgetary process just like every other entity.

b) Health and Family Committee of August 17, 2010

i. Request Approval of Menominee Child Protection Protocol; &

MOTION BY LYNNETTE MILLER TO CONCUR WITH THE HEALTH AND FAMILY COMMITTEE RECOMMENDATION OF AUGUST 17, 2010 TO RECOMMEND TO THE LEGISLATURE TO APPROVE THE MENOMINEE CHILD PROTECTION PROTOCOL AS PRESENTED (WITH THE ACRONYMS AND GRAMMATICAL CHANGES). NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

ii. Request Legal Department to Provide Status on the Diversion Center Policies.

MOTION BY LYNNETTE MILLER TO CONCUR WITH THE HEALTH AND FAMILY COMMITTEE RECOMMENDATION OF AUGUST 17, 2010 TO RECOMMEND TO THE LEGISLATURE TO FIND OUT FROM THE LEGAL DEPARTMENT THE STATUS ON THE DIVERSION CENTER POLICIES. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

16. 2010 Legislative Goals Progress Reports.

The Legislature discussed their Legislative goals and reported on the progress they are achieving thus far.

MOTION BY LISA WAUKAU TO SET A SPECIAL MEETING BETWEEN THE MENOMINEE TRIBAL LEGISLATURE AND THE MIEDA BOARD FOR SATURDAY, SEPTEMBER 18, 2010 AT 1:00 P.M. TO BE HELD IN EXECUTIVE SESSION TO GO OVER OUR BUSINESS PLAN AND RELATED ITEMS. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

17. As per LRP 5.03 – EXECUTIVE SESSION: (A) Legal – 1) Tribal Member’s Appeal to Management Team’s Decision Continuance; 2) Tribal Member’s Appeal to Management Team’s Decision; 3) Addendum to Business Lease Agreement Progress Report; 4) Business Opportunity; & 5) MTE Update; (B) Personnel; & (C) Gaming; – 1) Legal Representation; 2) Kenosha Project Update; & 3) MIGA Board Update.

MOTION BY LISA WAUKAU TO GO INTO EXECUTIVE SESSION. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (ALEGRIA & D. MILLER).

***** EXECUTIVE SESSION WAS NOT RECORDED *****

MOTION BY RANDAL CHEVALIER TO COME OUT OF EXECUTIVE SESSION. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

(A) Legal

1) Tribal Member’s Appeal to Management Team’s Decision Continuance;

MOTION BY MYRNA WARRINGTON THAT WE UPHOLD MANAGEMENT’S DECISION REGARDING THE APPEAL. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 4 FOR, 3 OPPOSED (PECORE, FISH, & CHEVALIER), 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

PLEASE NOTE: Legislator Fish qualified his opposition as follows: “I think that from a procedural standpoint it’s clear that they did not review to my satisfaction they did not review the requirements of the Ordinance, and they acted on it like we act on it.”

Legislator Pecore qualified his opposition as follows: “I think that the Appeal Board or Management should have listened to the tapes of at least that meeting to see if they actually used the information that they said that they used it would be all over that tape from one meeting. I also believe that they didn’t follow the policies.”

Legislator Chevalier qualified his opposition as follows: “I believe that the Commission failed to follow Ordinance 99-01 in drafting those regulations, and three special considerations were not followed.”

2) Tribal Member’s Appeal to Management Team’s Decision;

MOTION BY MYRNA WARRINGTON TO *TABLE* THAT SECOND APPEAL. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

3) Addendum to Business Lease Agreement Progress Report;

There was no motion made after coming out of Executive Session

4) Business Opportunity; &

There was no motion made after coming out of Executive Session.

5) MTE Update;

There was no motion made after coming out of Executive Session.

(B) Personnel; &

There was no motion made after coming out of Executive Session.

(C) Gaming;

1) Legal Representation;

MOTION BY BRUCE PECORE TO ACCEPT YOUR LETTER THAT YOU HAVE WRITTEN AND SEND IT TO HOLLAND AND KNIGHT. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

MOTION BY RANDAL CHEVALIER THAT WE APPROVE THE BIRCH TREE CONTRACT. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

MOTION BY BRUCE PECORE TO APPROVE THE CONTRACT FOR HOBBS AND STRAUS. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

2) Kenosha Project Update; &

There was no motion made after coming out of Executive Session.

3) MIGA Board Update.

There was no motion made after coming out of Executive Session.

18. Adjournment.

MOTION BY BRUCE PECORE/DAVID MILLER TO ADJOURN. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

Meeting adjourned at 12:22 A.M.

Respectfully Submitted By;



Debra A. Bowman, Recorder/Transcriber

EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE